

UNITED STATES DISTRICT COURT

for the
Eastern District of Missouri

FILED

JUN 28 2018

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

In the Matter of the Search of

841 Walters Drive, Saint Louis County, Missouri 63135, more fully described as a single-family, single-story residence building of light colored brick construction. The numbers "841" identifying the residence are located on the front of the house. There is an attached garage located on the east side of the residence.

Case No. 4:18MJ01218 JMB

APPLICATION FOR A SEARCH WARRANT

I, Ryan Gibbons, a federal law enforcement officer or an attorney for the government request a search warrant and state under penalty of perjury that I have reason to believe that on the following property:

841 Walters Drive, Saint Louis County, Missouri 63135, more fully described above.

located in the EASTERN District of MISSOURI, there is now concealed

see ATTACHED LIST.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
Title 21, U.S.C., §§ 841(a)(1), 846	Conspiracy to possess with intent to distribute controlled
Title 18, United States Codes, §§ 922 and 924(C)	substance(s); firearms offenses

The application is based on these facts:

SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED HEREIN BY REFERENCE.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Ryan P. Gibbons
Applicant's signature
RYAN GIBBONS, Special Federal Officer
Federal Bureau of Investigation

Printed name and title

Sworn to before me and signed in my presence.

Date: June 28, 2018

City and State: St. Louis, MO

[Signature]
Judge's signature
Hon. John M. Bodenhausen, U.S. Magistrate Judge
Printed name and title
SAUSA: Angie E. Danis

"List"

1. Controlled Substances;
2. Paraphernalia for packaging, cutting, weighing and distributing controlled substances, including, but not limited to, scales, baggies and spoons; and
3. Books, records, receipts, notes, ledgers, computer hard-drives and disk records, and other papers relating to the transportation, ordering, purchasing and distribution of controlled substances and/or firearms;
4. Telephone bills, invoices, packaging, cellular batteries and/or charging devices, cancelled checks or receipts for telephone purchase/service; cellular and/or landline telephones; digital and/or alphanumeric text (two-way) pagers; computers capable of e-mail and/or chat-room communication, answering machines; address and/or telephone books and papers reflecting names, addresses, and/or telephone numbers of sources of supply, of customers, and/or evidencing association with persons known to traffic in controlled substances or to facilitate such trafficking.
5. Photographs, in particular photographs of co-conspirators, of assets, and/or of controlled substances.
6. United States Currency, precious metals, jewelry, and financial instruments, including, but not limited to, stocks and bonds, papers, titles, deeds and other documents reflecting ownership of vehicles and property utilized in the distribution of controlled substances or which are proceeds from the distribution of controlled substances;
7. Books, records, receipts, pay stubs, employment records, bank statements and records, money drafts, letters of credit, money order and cashier's checks receipts, passbooks, bank checks and other items evidencing the obtaining, secreting, transfer and/or concealment of assets and the obtaining, secreting, transfer, concealment and/or expenditure of money;
8. Papers, tickets, notes, schedules, receipts and other items relating to travel, including, but not limited to, travel to and from St. Louis, Missouri and elsewhere
9. Indicia of occupancy, residency, rental and/or ownership of the vehicles and/or premises described above, including, but not limited to, utility and telephone bills, cancelled envelopes, rental or lease agreements and keys; and
10. Firearms and/or weapons.

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ST. LOUIS

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Ryan P. Gibbons, being duly sworn, deposes and says that he is a Special Federal Officer (SFO) with the Federal Bureau of Investigation (FBI), duly appointed according to law and acting as such.

I am a deputized Special Federal Officer with the Federal Bureau of Investigation (FBI). Additionally, I am employed as a Police Officer for the St. Louis Metropolitan Police Department (SLMPD) and have been so employed for the past nine (9) years. I am presently assigned to the St. Louis Division of the Federal Bureau of Investigation as a member of the Safe Streets Gang Task Force. Through my training and experience I am familiar with the debriefing of cooperating witnesses and/or sources of information and methods of searching locations where narcotics, narcotics proceeds, and/or weapons may be found. Additionally, I have been trained and have experience in conducting surveillance and am familiar with the manner of importation and distribution of narcotics as well as the payment methods utilized by narcotic distributors. During the past nine years as a Police Officer with the SLMPD, I have been involved in a multitude of narcotics and violent crime investigations involving arrests, interviews, informant debriefings, and surveillances. I have also been the affiant on numerous state and federal search warrant affidavits and participated in investigations that employed the use of Title III wire taps.

This Affidavit is submitted in support of an application for the issuance of a search warrant for the premise at the following location: **841 Walters Drive, Saint Louis County, Missouri 63135 (hereinafter referred to as the "subject location")**, which is located with the Eastern District of Missouri. It is my opinion and the opinion of the investigative team as experienced, trained narcotics investigators, that after certain prerequisite circumstances are met there will be probable cause to believe that evidence will be found in violation(s) of: Title 21, United States Codes, Sections 841(a)(1) and 846, and Title 18, United States Codes, Sections 922 and 924(c)

(hereinafter referred to as “the subject offenses”). The violations have been committed by persons known and as yet unknown to the investigation.

The facts and information set forth in the Affidavit are based upon my personal knowledge obtained during the course of the investigation, information obtained from confidential sources, information reported to me by other agents, task force officers and/or detectives of the FBI and SLMPD, my review of reports, and information gained through my training and experience. Because this affidavit is submitted for the limited purpose of supporting these search warrants applications, it does not include each and every fact known to me concerning this investigation. The affidavit sets forth only those facts believed necessary to establish probable cause that violations of the subject offenses occurred, are occurring, and will occur, and to establish probable cause to believe heroin and/or fentanyl, drug ‘cutting’ agents, drug paraphernalia, firearms, firearm accessories, ammunition, United States currency, drug ledgers and indicia of control will be found at the **subject location**.

LOCATION TO BE SEARCHED

The Affiant is requesting a search warrant for the **subject location** as described below and as detailed herein:

Subject Location – 841 Walters Drive, Saint Louis County, Missouri 63135



This **subject location** is more fully described as a single-family, single-story residence building of light colored brick construction. The numbers "841" identifying the residence are located on the front of the house. There is an attached garage located on the east side of the residence. The **subject location** is the primary residence of SMITH and is being utilized by SMITH and his associates to store firearms and to distribute narcotics.

INVESTIGATION AND PROBABLE CAUSE

Investigators with the FBI and SLMPD have received information from a Confidential Source (CS) that Lemartrell SMITH is selling heroin and/or fentanyl in the Saint Louis Metropolitan area. The investigation revealed that SMITH and numerous associates utilize the **subject location** as a base of operation to package and distribute heroin and/or fentanyl from. SMITH, and his associates, utilize the **subject location** to store heroin and/or fentanyl, drug 'cutting' agents, drug paraphernalia, firearms, firearm accessories, ammunition, and United States currency. It should also be noted that SMITH, and his associates, routinely distribute heroin and/or fentanyl throughout the Saint Louis region from various vehicles.

In May of 2018, the investigative team received information from the CS regarding a drug trafficking group that was operating throughout the Saint Louis region, primarily in north Saint Louis County. The CS advised investigators that the group was distributing quantities of heroin and/or fentanyl and that these individuals were routinely in possession of firearms.

The CS advised the investigative team that the group was primarily operating out of a residence, which was located at 841 Walters Dr., located in north Saint Louis County. The CS stated that individuals in this group would respond to this residence on a daily basis in order to manufacture and package narcotics for distribution.

The CS further advised that narcotic customers would sometimes be directed to the residence to purchase narcotics; however, customers would normally be directed to the general area around the residence to purchase narcotics. The CS stated that the narcotic trafficking group

would routinely send customers, primarily their white customers, to Peurifoy Ave., which is located on the north side of Airport Rd., or its surrounding streets, to purchase narcotics. The CS advised that when customers would respond to Peurifoy Ave., and its surrounding streets, a member of the narcotic trafficking group would respond to the area in a vehicle to exchange a quantity of heroin and/or fentanyl for a quantity of U.S. currency. The CS advised investigators that when transporting quantities of heroin and/ fentanyl, members of the narcotics trafficking group were routinely armed with firearms.

The CS advised the investigative team that the group utilized several different vehicles to transport and distribute quantities of narcotics. The CS specifically advised that one of the individuals in the narcotic trafficking group drove a silver Chrysler 200, which he utilized as a means to transport and distribute narcotics. The CS could not provide a name of this subject; however, he/she described him as a medium complexioned black male, in his early twenties, with a thin build, who was approximately 6'00"-6'02."

The CS advised me that he/she believed that the group was headed by a black male, who utilized the street moniker "Moe." The CS stated that he/she had observed "Moe" in possession of firearms and heroin and/or fentanyl on several occasions in the past.

The CS described "Moe" as a dark complexioned black male, in his mid to late twenties, with a medium build. He is approximately 5'10"- 6'00" tall and has dreadlocks.

An investigation into the identity of "Moe" revealed a black male, named Lemartrell SMITH, with a Date of Birth of 08/17/1994, who matched the description provided by the CS.

I provided the CS with a photograph of Lemartrell Smith. The CS identified him as the subject who utilizes the street moniker "Moe."



A computer inquiry through law enforcement databases revealed Lemartrell SMITH had prior arrests for Assault 1st, Armed Criminal Action, Resisting Arrest, Unlawful Use of a Weapon, Trafficking 2nd, Delivery of a Controlled Substance, Distribution of a Controlled Substance, Possession of a Controlled Substance, Possession of Marijuana, Unlawful Use of Drug Paraphernalia, Domestic Assault 3rd, and Probation Violation. He has felony convictions for Possession of a Controlled Substance. He received SIS probation for Possession of Marijuana.

It should be noted that the CS was aware of the aforementioned listed information based on his/her past observations and experiences of dealing with members of the narcotic trafficking organizations. It should also be noted that the CS has been used on several occasions in the past and has consistently been proven to be reliable.

SLMPD Detectives began receiving information from the CS in June of 2015. The CS has prior arrests for Homicide, Robbery, Assault, Armed Criminal Action, Burglary, Escape from Custody, Property Damage, Theft related offenses, Narcotic related offenses, and Firearm related offenses. The CS has prior convictions for Burglary, Escape from Custody, and Theft related offenses. The CS began providing SLMPD Detectives information in 2015. The CS began working with Detectives in exchange for monetary compensation. The CS has provided information that

has allowed Detectives to affect numerous arrests while seizing large amounts of narcotics and numerous firearms. Information previously provided by the CS has resulted in the successful prosecution of individuals in more than ten (10) instances on both the State and Federal level.

On or about June 18, 2018, SLMPD Detective Thomas Strode, DSN 8809, responded to the area of Peurifoy Ave, and Airport Rd. During this time, a white female was observed by Detective Strode driving a silver sedan, bearing Missouri license plate PR4-E0T. The female was travelling north on Peurifoy from Airport Rd. Detective Strode's attention was drawn to this vehicle because the female appeared to be on her telephone, constantly turning her head in different directions as though she was concerned with who else was in the area and driving at a slow speed. After observing the female, Detective Strode responded to the **subject location**. As he was approaching the **subject location**, he observed a tall black male, with a thin build walking from the front of the residence, towards a silver Mercedes sedan, which was parked on the street. The sedan appeared to have a Missouri dealer license plate affixed to its rear. The black male entered the vehicle and travelled west on Walters. As the Mercedes was travelling west on Walters Dr., Detective Strode passed it going east bound. After passing the vehicle, he responded back to the area of Peurifoy Ave. As he travelled north on Peurifoy from Airport Rd., Detective Strode observed the aforementioned Mercedes turn south on Peurifoy Ave, from westbound Aline Ave. Detective Strode turned his vehicle east on Aline and observed the silver sedan that he had previously observed, occupied by the white female, parked on the south side of the street. As he passed her vehicle, the female appeared to be looking down and fidgeting with an item in her lap. A few moments later, the female pulled from the side of the road and travelled eastbound on Aline Ave. Detective Strode later conducted an inquiry into the license plate PR4-E0T, which revealed the vehicle registered to a Cherie Gerdel, out of Warrenton, Missouri. It should be noted that based on the information provided by the CI, as well as his observations, that Detective Strode was of the belief that the black male in the Mercedes had likely distributed a quantity of narcotics to the

female in the silver sedan. (It is common that a subject who is purchasing narcotics will inspect the product in their lap to prepare it for ingestion and/or to make sure they received the correct amount of narcotics before they depart an area).

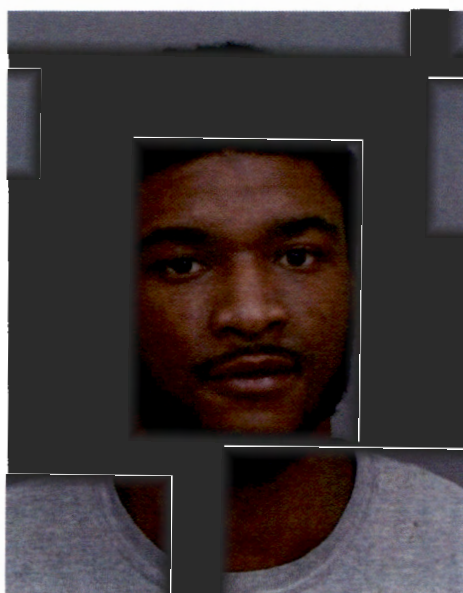
On or about June 20, 2018, Detective Strode conducted surveillance at the **subject location**. During this time, he did not observe any foot or vehicle traffic coming or going from the residence; however, he could see movement from inside the residence and lights turning on and off. Furthermore, Detective Strode observed a silver Pontiac sedan, backed into the driveway of the residence. There was no front license plate on the vehicle.

On or about June 21, 2018, Detective Strode conducted surveillance at the **subject location**. During this time, he observed a silver Chrysler 200, bearing Missouri license plate AG8-E9J, park at the residence. A tall and thin, dark complexioned black male, exited the vehicle and entered the residence. Approximately 20 minutes later, the black male exited the residence and entered the silver Chrysler. The vehicle reversed, travelling westbound on Walters Dr., then travelled south on Henquin Dr.

Detective Strode conducted an inquiry of Missouri license plate AG8-E9J, which revealed it to be registered to a Barbara and Richard Hedge, out of Festus, Missouri. Furthermore, a subject named Marcus CHATMAN, with a Date of Birth 08/07/1996, received three traffic citations while operating this vehicle on February 18, 2018, at the intersection of N. Euclid and Greer, in the City of Saint Louis.

Detective Strode viewed a photograph of Marcus CHATMAN and was of the belief that he was the subject who he observed operating the silver Chrysler 200 and the subject who entered the **subject location**.

Detective Strode provided the CS with a photograph of Marcus CHATMAN. The CS identified him as the subject he/she knows to occupy a silver Chrysler 200 and who distributes narcotics for the narcotic trafficking group.



A computer inquiry conducted through law enforcement databases revealed Marcus CHATMAN had prior arrests for Assault 1st.

On June 22, 2018, Detective Strode conducted surveillance at the **subject location**. During this time, he observed a subject, who matched the description of Lemartrell SMITH open the front door of the residence and look outside, while talking on a cellular telephone. A short time later, a green Hyundai SUV, bearing Missouri license plates PR1-A6E, parked in front of the residence. A few moments later, a white Lincoln sedan, bearing Illinois license plates AD8-7409, parked on the driveway of the residence. A black male exited the green SUV and two black males exited the white Lincoln. Furthermore, two black males, one whom Detective Strode was able to identify as SMITH, exited the front of the residence. The males began conversing in front of the residence. While they were doing this, Detective Strode observed several of the black males were grasping the front part of their waistband, on several occasions, while they were standing out front. The investigative team knows this type of behavior to be indicative of subjects who are in possession

of concealed firearms; however, Detective Strode was not able to get close enough to determine any significant bulges in clothing or to determine for certain if any of the subjects were armed.

After the individuals were outside for approximately 15 minutes, the subject who responded to the residence in the green SUV, as well as one of the other males, entered the green SUV and left. The remaining males conversed in front of the residence for a few more moments before entering the **subject location**.

A computer inquiry of the green SUV license plates PR1-A6E revealed the vehicle registered to an Adriene Hampton, out of Saint Louis County.

A computer inquiry of the white Lincoln's license plates AD8-7409 revealed the vehicle was an Enterprise rental vehicle. It should be noted that narcotics traffickers regularly utilize rented vehicles to transport and distribute narcotics in order to avoid law enforcement detection.

On June 25, 2018, Detective Strode conducted surveillance at the **subject location**. During this time, he observed a gold colored Pontiac sedan pull in front of the residence. A black male exited the passenger seat of the vehicle and approached the front of the residence. A few moments later, the male walked back towards the passenger side of the vehicle. A few moments later, the vehicle drove away from the residence. Detective Strode was unable to determine if the male re-entered the vehicle, or if he entered the residence at this time.

A short time later, a silver Mercedes, which Detective Strode believed to be the same silver Mercedes he observed at the residence on June 18, 2018, backed into the driveway of the residence. A black male, who matched the description of SMITH, exited the driver's seat of the vehicle and another black male exited the front passenger seat of the vehicle. At this time, Detective Strode observed the driver of the Mercedes had a shoulder bag slung around his shoulder. It should be noted that the investigative team is aware that these types of bags are commonly used to store firearms, illicit narcotics, and US currency. The passenger of the vehicle appeared to have an item wedged beneath his arm pit, between his arm and torso; however, Detective Strode was unable to

determine what this item was. A few moments later, a large framed individual opened the front door of the residence and conversed with the two males. The large framed individual responded back inside the residence and the two black males went inside the residence a short time later.

Approximately 10-15 minutes later, a black male, who Detective Strode believed to be the black male who responded to the residence in the gold colored Pontiac, exited the residence. The male appeared to be holding a small bag in his hand and stood in the front yard for a few moments. A white Chevrolet SUV pulled in front of the residence, at which time the black male entered the vehicle. The vehicle subsequently drove away from the residence.

On June 26, 2018, the investigative team made contact with the CS who advised that the narcotics trafficking group had firearms and narcotics inside the residence at the **subject location** within the past 48 hours.

It should be noted that the investigative team is of the belief that the activity that Detective Strode observed at the **subject location** is consistent with that of narcotic trafficking. Numerous individuals seem to respond to the residence on a routine basis. There are also various vehicles consistently coming and going from the residence. This is consistent with the information provided by the CS that this residence is utilized as a place of operation for the narcotics trafficking group.

Since the information provided by the CS has been verified by intermittent surveillances, and due to the previous reliability of the CS, as well as my past training and experiences as a Police Officer, it is my belief that heroin and/or fentanyl, narcotic "cutting" agents, drug paraphernalia, firearms, firearm accessories, ammunition, United States currency, drug ledgers, and indicia of control will be found at the **subject location**.

6/28/18
DATE

Ryan P. Gibbons
RYAN GIBBONS
Special Federal Officer
Federal Bureau of Investigation

Sworn to and subscribed before me this 28th day of June, 2018.

John M. Bodenhausen
JOHN M. BODENHAUSEN
United States Magistrate Judge
Eastern District of Missouri